

FARMINGTON POLICE DEPARTMENT

POLICY AND PROCEDURE



POLICY NUMBER:
241-14

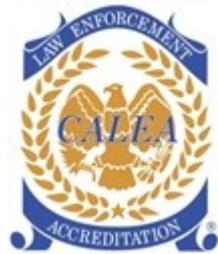
EFFECTIVE DATE:
10/23/2018

SUBJECT:
In-Car & Wearable Video Cameras

APPROVED BY:

A handwritten signature in black ink, appearing to read "SDH".

STEVEN D. HEBBE, CHIEF OF POLICE



PURPOSE:

The purpose of this policy is to establish guidelines for the use, management, storage, and retrieval of audio-visual recordings by in-car and wearable video systems.

POLICY:

It is the policy of the Farmington Police Department to utilize in-car video cameras in patrol vehicles, and wearable video cameras to collect audio-visual evidence of criminal activity, to evaluate officer performance, and as a training tool for police officers.

PROCEDURE:

The Farmington Police Department has adopted the use of in-car and wearable video cameras to accomplish the following:

1. To provide an accurate depiction of events for courtroom presentation;
2. To accurately capture statements and events during the course of an incident or investigation;
3. To enhance the officers' ability to document and review statements and actions for report writing purposes and courtroom preparation;
4. To provide an impartial measurement for self-critique and field evaluation; and
5. To assist in the ongoing training of police officers and police recruits.

The following incidents shall be audio and video recorded when the reasonable possibility of recording such incidents exists:

1. All investigative contacts, both in person or by telephone, including follow-up investigations;
2. All emergency responses in which the patrol vehicle's emergency lights are activated;
3. All motor vehicle pursuits;
4. All prisoner transports;
5. All crimes in progress;
6. The reception of citizen complaints or feedback on police employee performance.
7. Any other situation or event that the officer deems appropriate to record.

In-Car and Body-worn Video Systems Activation Protocols:

Officers on routine patrol who upon observation of traffic violations, municipal code violations, criminal activity or other observed emergency situations which require action shall immediately activate the body-worn camera system prior to taking action, to include following a vehicle, approaching an individual person, or engaging the vehicle emergency equipment. Officers shall activate their body-worn or in-car camera system prior to making an investigative telephone call, and when an incoming call is received, the body-worn or in-car camera shall be activated as soon as practicable and when safely able to.

Regarding dispatched calls for service, officers should consider activating their body-worn camera well before arriving on scene in order to prevent the officer from becoming distracted and forgetting to activate the camera should a dynamic situation be occurring upon arrival. If, upon review, it is determined an officer had an adequate opportunity to activate their body-worn camera prior to arrival on scene, but they failed to do so, it may be considered a violation of this policy.

The Department recognizes that officers may be placed in situations which are stressful, rapidly evolving and unpredictable. Therefore the Department recognizes there may be circumstances in which an officer may not be able to immediately activate their body-worn camera. In such cases the officer shall as soon as practicable and when safely able to, activate their body-worn camera.

As a matter of routine, all officers and employees who are issued a body-worn camera shall use the body-worn camera to record any of the aforementioned events or incidents. In as much as the additional, simultaneous use of the in-car camera system offers multiple advantages to accomplishing the stated purposes of this policy, officers shall use both the body-worn and in-car recording systems simultaneously. Officers shall make every reasonable attempt to utilize the in-car camera system whenever citizen contacts originate or occur near or via the police vehicle.

Not all citizen and investigative contacts can be video or audio recorded based upon circumstances outside of an officer's control. For example: unanticipated events requiring police

intervention when neither the officer nor the department vehicle are equipped with recording equipment and such incidents are outside of the officer's routine duties and job assignment. It is not the intention of this policy to deny police services based upon the unavailability of recording equipment with which to record such services.

When the in-car and wearable video cameras are activated, officers shall ensure that the audio portion is also activated to ensure that all events are properly documented. Officers are encouraged to use the audio portion of the recording to narrate events as they occur to provide the best evidence for courtroom presentation.

Officers are encouraged, when possible, to review their camera recordings when preparing written documentation of events in order to ensure the accuracy and consistency of events.

Officers shall ensure the volumes from other electronic devices within the police vehicle (radios, CD players, etc.) are turned off when the back seat of their police vehicle is occupied. This does not apply to police radios.

In-Car Video Systems:

All in-car video equipment shall be installed in a manner which ensures the system can be activated automatically when the vehicle's emergency lights are activated, manually by the officer via a wireless transmitter, and manually by the officer from within the police vehicle.

Officer safety shall be the primary consideration for placement of the system components within the vehicle and the use of the equipment. Officers will be provided with adequate training in the use and operation of the in-car video equipment prior to use.

Prior to the start of each shift, all officers assigned an in-car video camera shall perform a pre-operational inspection of their equipment to ensure the video camera and wireless microphone are operational and functioning properly.

Any malfunctions of the in-car camera equipment shall be reported to the immediate supervisor prior to the patrol unit being placed in service. The supervisor shall then make the determination whether the patrol unit will be placed into service with an inoperable camera system. If it is determined the vehicle will go into service with an inoperable camera system, then dispatch will be notified. Furthermore, the supervisor will make a notation of the vehicle unit number and camera status through Department email to the Administrative Lieutenant and member of the IT Division to have the system fixed or replaced.

Wearable Video Systems:

All wearable video cameras shall be worn on or near the center of the chest. On patrol uniforms, this can be accomplished by clipping the cameras to the loop located between the buttons on the center of the chest. If there is no loop on the uniform shirt, the camera should be attached as closely to the center of the chest as possible.

Officers will be provided with adequate training in the use and operation of the wearable video equipment prior to use.

Prior to the start of each shift, all officers assigned a wearable video camera shall ensure the camera has been downloaded and is fully charged as per their training. Each camera system comes with a wall and car charger. Depending on the make and model of the issued camera, the cameras can be downloaded at any of the department's networked computers, a downloading station, or via the wireless downloading system.

In addition, officers assigned a body camera shall conduct a minimum of one functionality test weekly. This function test shall be comprised of a brief recording, a download of the recording and a review of the video to confirm the body camera is operating properly. Where possible and appropriate officers should make every reasonable attempt to conduct this functionality test at the beginning of their respective work week and prior to going in service for work.

Before going into service, any malfunction of the wearable camera system shall be reported to the on-duty supervisor. If a malfunction occurs while on-duty, it shall be reported to dispatch and the on-duty supervisor immediately, whenever reasonably feasible to do so. If the system cannot be placed into service through basic trouble shooting procedures, the supervisor shall provide a pool camera and contact the IT Division to have the system fixed or replaced.

In-Car Digital Video Evidence:

Officers shall not attempt to erase, alter, modify, or tamper with any digital recording or digital recording equipment.

The current in-car digital camera system utilized by the Farmington Police Department records and temporarily stores events onto a compact flash memory card. The memory card is locked within the mobile video recorder. Officers shall not attempt to access or remove this memory card. All recorded material is transferred wirelessly from the vehicle to the system server. The only personnel with key access authorized to remove this memory card is the video system administrator, assistant administrator, or authorized repair personnel. Officers should not attempt to download or obtain video recordings from the mobile video recorder or compact flash card.

All wireless transfers of recorded material from the mobile video recorder / flash memory card will be conducted at the Farmington Police Department wireless access locations. The only exceptions will be routine maintenance, repair, or troubleshooting efforts conducted City of Farmington Police IT staff and/or in-camera system administrators and designees.

All non-wireless transfers of recorded incidents, (i.e., removal of flash memory card for maintenance and/or malfunction) will be conducted only by authorized personnel. Only the following personnel are authorized to remove the flash memory card for manual computer transfer of recorded material: In-camera system administrator, assistant or Chief's designee.

If the flash memory card is removed for manual transfer of recorded material for any reason,

the [In-Car Camera Maintenance and/or Media Manual Removal Form](#) will be completed by the In-Car Camera system administrator, assistant or Chief's designee. The Officer whose media is manually removed is responsible for ensuring the form is submitted to the Professional Standards Lieutenant. At the time of removal, dispatch shall be notified and will update the Officer's dispatch call log and ensure the on-duty supervisor is notified. There are no exceptions to this paragraph.

Wearable Digital Video Evidence:

Officers shall not attempt to erase, alter, modify, or tamper with any digital recording or digital recording equipment.

The wearable camera system utilized by the Farmington Police Department is an all in one system. The memory card for this system cannot be removed and must be manually downloaded through a department networked computers, downloading station, or via the wireless downloading system as required by the type of issued camera. These downloads must be completed by the officer on a daily basis. Any problems with downloading the device will be reported to the supervisor and, if necessary, the IT department will be summoned to fix any problems with the system.

Digital Video Evidence Storage and Release

Material downloaded onto the camera system server will remain in the server's memory for 45 days. The digital archiving of the digital material to a back-up DVD is automatic and continuous, occurring in most cases with the first few days of submission into the system. The DVDs produced for archival purposes are stored in locked cabinets and are controlled by the system administrator. The only individuals who may access the stored copies are the following personnel: Chief of Police, the Professional Standards Lieutenant, the Camera system administrator or his/her assistant.

All recorded material that resides on the server or is archived on DVDs will only be viewed by accessing the manufacturer's proprietary viewing software program. This program is available to all authorized personnel on any of the Farmington Police Department's networked computers. If the recorded material is not viewable or available on the server (i.e., past the 45-day server storage period, server maintenance, and/or upgrades in progress), the software will automatically send a request to the system administrator instructing him/her to reload the material onto the server for requested viewing. Once reloaded on the system, the material will then be available to be viewed for an additional 45 days and then will be automatically purged, as an archived copy already exists.

All requests for recorded material will be submitted to the City Clerk's office per the New Mexico Public Records Act. Once approved by the City Clerk, the request is forwarded to the Professional Standards Lieutenant for department approval and release.